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SLAVERY IN THE UNITED STATES.

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SLAVERY

IN THE

UNITED STATES.

AMONG the many works which the discussions respecting the slavery of the British West Indies have called forth, the one published by Mr Stephen a few years ago is perhaps the most valuable.* The author is well known as one of those active and persevering philanthropists, who have for many years exerted themselves in the cause of the African race. He was by profession a lawyer, and resided for many years in St Christopher. His book testifies that he has well improved his advantages for judging not merely of the theory of the slave laws, but of their practical operation. This volume professes to exhibit the slavery of the British West Indies as it exists in point of law. The author proposes in another part to delineate the state as it exists in practice, though he has thought it advisable not to adhere rigorously to this division of the subject. The part already published contains a very searching examination of the slave codes of the colonies, and a critical comparison between them and the laws of other countries similarly situated, both ancient and modern.

The vague and general declamations against slavery which we hear so frequently, and the violent indignation which is so often expressed at particular instances of abuse and cruelty,

* The Slavery of the British West India Colonies delineated, as it exists both in Law and Practice, and compared with the Slavery of other Countries, ancient and modern. By James Stephen, Esq. Vol. I. being a Delineation of the State in Point of Law. London: Butterworth & Son, 1824.

give no satisfactory information as to the peculiar state of society which is so loudly condemned; still less do they lead to any conclusions as to the means of diminishing or removing the evil. Mr Stephen therefore seems to have adopted the most correct course to enlighten the public mind, by giving 'an accurate description of the state, as it exists both in law and practice, and pointing out some of its most ordinary and acknowledged consequences, as far as they affect the happiness or misery of the parties.' His work shows conclusively the injustice of the slave laws both customary and legislative, their unnecessary severity to the negro, and their insufficient protection of him, even if carried into thorough execution; and that from the mode of trial, the rejection of negro testimony, and the peculiar state of society, the most atrocious crimes of the whites often go unpunished. He shows also that the origin of many of the most cruel laws and practices, is to be found, not in the necessity which is alleged to excuse them, but in the scorn and antipathy with which the European regards the African. And while his work proves completely the ruinous tendency of the existing system, it must satisfy every reader that there is little hope of any reformation being effected by the colonial legislatures. The following is his recapitulation.

'In his relation to the master, the slave is degraded to the level of brutal and inanimate nature. He is mere property; and subjected as such to all the evils that the various rights annexed to property can entail on a sensitive and rational being. He is removed from his home and native settlement, sold and exiled, bereft of his wife and children, and of all that makes existence dear to him, whenever the owner's choice, or that of his unsatisfied creditors, may so ordain. He is demised, mortgaged, entailed, and in other modes subjected to the absolute government of a master, who has often but a small or temporary interest in his preservation and welfare; and who still oftener is unable to provide for his support. His labors, his subsistence, his discipline, and his punishments, are all at the arbitrary discretion of his immediate rulers, who are for the most part only the mercenary delegates of an owner resident in a distant land But to these are added subordinate delegates of fearful name, whose powers are awfully important, and susceptible of no effectual control. To the drivers is committed the distribution and exaction of the common labors of the field, their apportionment among the old and the young, the strong and the feeble, the males and the females; and to these lowest

agents even, though negro slaves, unenlightened and unsoftened by religion, immoral and corrupt, bereft, by their degradation, of all liberal feelings, and hardened like public executioners by the habitual infliction of tortures penally imposed, the law permits the master to delegate his awful powers. To them, accordingly, he does delegate that which is practically the most formidable and pernicious of them all, the use of the driving whip.

'Such as we have seen are the outlines of the private relation, as recognised and enforced by law.'

'In regard to the whole white population, except the owner and his agents, the negro slave stands, as I have shown, in a predicament still more peculiar. He has no legal rights in his relations to them; or what is in effect the same, no remedies for wrongs received from them. His person, and such property as he is allowed by the master to possess, are virtually at their mercy. He can neither prosecute for, nor find evidence of his wrongs; nor exercise even, without subjecting himself to capital punishment, the right of self-defence. We have seen that those recent laws which affect to protect him in some degree against free strangers, and even against the master himself, are, with an unimportant exception or two, incapable of execution, and absolutely useless.

'To the state, the slave also has his relation; for this chattel in the master's hands, is recognised by the penal code, as a rational and deeply responsible being. I have, therefore, reviewed this relation also; and stated the condition of the colonial slaves in their character of subjects, or members of civil society. And what is the result? Of all the ordinary benefits of civil life, the slave would not have been more completely destitute in an African desert, than in a British colony. Not one of those benefits can be said to be effectually imparted to him, while many are totally and expressly denied. Even education, intellectual, moral, and religious, has been shamefully withheld. But to his crimes, on the other hand, the colonial lawgivers have by no means been inattentive. These have been punished with a severity unknown to the laws of the mother country; and equally unknown in the same colonies when freemen are the delinquents. Numberless petty offences and trespasses, for which the latter are liable only to be fined, or to pay damages in a civil action, have been raised into felonies, when committed by a slave. Desertion, and other domestic offences, which are breaches of duty to the master alone, have been treated as atrocious crimes against the state, and visited with mutilations or death. Nay, these much injured beings have been capitally punished for acts which the laws themselves have recognised as

the direct and necessary fruits of the master's oppression; and for which, he himself, notwithstanding, was made liable to no legal animadversion at all. Barbarous executions, shocking to nature, have been sanctioned by laws but very lately repealed or disused; and the dreadful punishment of the workhouse slave chain has been recently devised, and is still inflicted, even during the whole life of the offending slave; and often for acts, in their nature innocent, and breaches alone of the harsh duties arising from his servile condition.

'Nor is the poor slave less harshly distinguished in the judicial cognizance of his crimes. Modes of trial and conviction have been appointed for him, highly dangerous to the innocent; as well as inconsistent with the lenity and humane circumspection of English law,—qualities, which in the prosecution of freemen in the same colonies, have not only been retained, but increased.

'To finish this odious summary, the state, thus beyond example severe and cruel, is more loosely, and indefensibly imposed, and with far more difficulty dissolved, than the bonds of slavery ever were in any other age or region. The presumption of law, placed every where else on the side of freedom, here universally weighs against it; while a despotic exclusion of all servile testimony makes the conflict of truth, with that harsh presumption, in most cases difficult or hopeless; and, lastly, the colonial legislatures, instead of encouraging voluntary manumissions, have laid restraints, by enormous taxes and other means, on that beneficent power of the master.' pp. 435—436.

Though Mr Stephen's book was written for the express purpose of procuring the interposition of the British government, it deserves an attentive study in this country, from its delineating a state of society and laws very similar to what exists in a large part of the United States. Indeed, the resemblance in point of law is so strong, that by far the greater part of the work is directly applicable to our own country. That there should have been such a likeness previously to the revolution, is perhaps not remarkable. But even since that time the legislatures of our Southern States and those of the British West Indies, seem to have been actuated by a sympathetic spirit in their enactments respecting their colored population.

In comparing, however, the situation of that part of our country which is cursed with a numerous black population, with that of the West Indies, we shall find some cause for self gratulation. The comparative numbers of the blacks

and whites in the States where slavery is permitted, is such that we can have at present no reasonable fear of dangerous insurrections.* The same circumstance affords to every effort made to improve the condition of the blacks in the United States a better prospect of success than in the West Indies. In point of law the slave is better protected, and in point of practice, I believe, is better treated here than there. That the numbers of the slaves increase very rapidly in this country, while in most of the West Indies they are constantly diminishing, is sufficient evidence that their condition among us is happier. But what should give most cause for satisfaction is, that a large number of the most enlightened citizens of the Southern States are inimical to slavery, and thoroughly convinced of its pernicious tendency; while in the West Indies the planters, almost to a man, are its friends and advocates. Nor should it be regretted that all improvements in the social condition of the Southern States, must be effected by themselves; and that their legislatures are not in this respect subject to any superior power.

Notwithstanding all these favorable circumstances, slavery is justly considered a great national evil. All our States seem sincere in the wish to remove this curse from our land and to alleviate its miseries. For its existence among us, we must reproach England. The mother country encouraged the importation of slaves into the colonies, regardless of their true interests; while some of the provinces labored earnestly to check the progress of the evil. The continued exertions of the province of Virginia, for this purpose, which were uniformly thwarted and rendered unavailing by the mother country, are well known. And as soon as our allegiance to Great Britain was shaken off, and while we were yet fighting for our independence, an act was passed by Virginia, which prohibited the importation of slaves, and declared every black imported free. Since our independence the slaveholding States have generally been forward to prevent the increase of the evil. They voted unanimously in Congress in favor of the ordinance which prohibited slavery in the territory northwest of the Ohio; and they have since that time cooperated sincerely and zealously in all the measures which our government

* In only one of our States does the number of the blacks equal that of the whites; while in the West Indies the former exceed the latter in the proportion of five to one in some islands, ten to one in others, and in some instances in a still higher proportion.

has adopted for the suppression of the slave trade. The frequency of emancipation, the warm support which is given to the Colonization Society, by many distinguished individuals among them, and the recorded opinions of some of their wisest men with regard to involuntary servitude, are honorable to the country, and encouraging to future exertions to promote the welfare of the African race.

But the citizens of the Southern States, have, upon the subject of slavery, a most unreasonable jealousy of their northern brethren. They appear to think that there are among us many who would abolish slavery throughout the land, at once and at all hazards. There is no reason in fact for this jealousy. I will not undertake to say that there may not be here and there an individual who is insane upon this subject; it would be strange indeed, if no such person could be found. But the insanity of one man is no measure of the opinion of the public. In the opinion of every person here who is in the least familiar with the merits of the question, and indeed of the great body of the community, nothing could be more absurd and dangerous than a sudden enfranchisement of all the negroes. The interest which all cannot but feel upon this subject, may occasionally produce an intemperate warmth of language. But are not the violent, unmannerly, and abusive retorts in which many southern newspapers indulge, equally unjustifiable? If the writings in the Northern States have a tendency to excite the blacks against the whites, which I totally deny, is not the inflammatory language used at the south much more likely to produce the same effect? I certainly would not write a syllable if I believed that it could in any manner operate unfavorably on the character or conduct of the slaves. But is there any danger to be apprehended from a fair and manly examination of this subject, addressed, not to the slaves, but to their masters? I have never heard that the angry and intemperate language with which the Missouri question was argued, or rather fought, produced any effervescence among the colored population at the south. It is known, too, that British publications are widely circulated in our country, which are very far from speaking of domestic slavery with the cautious and mysterious reserve, that seems to be so much desired by its advocates, when any persons but themselves are treating of the subject; but there have been no complaints

that these publications have been injurious. To my mind, the printed statutes of Virginia and South Carolina seem much more likely to excite disaffection and rebellion among their slaves, than all that has ever been published in the Northern States.

It is often complained at the south that the citizens of the north wish to interfere with the management of their slaves. The charge is not very definite; but let it be understood as it may, it is false and absurd. Not only is the exclusive right of the Southern States to regulate their own property fully recognised; but the propriety and expediency of leaving it entirely to their management are as fully acknowledged. Our fellow citizens are so far from having the desire which is imputed to them, that they are in general extremely cautions in even expressing their opinions respecting slavery, or the manner in which it may be remedied or alleviated. Doubt and difficulty indeed attend upon every proposal. But this is a subject of national and not merely sectional concern. Every citizen of the United States who has the welfare of his country at heart, has an interest in it. Surely the whole nation has a deep concern in a subject by which one half of it is so immediately and vitally affected. It is a subject on which the friends of humanity cannot forbear to meditate, and on which they have a right to be heard. The law and practice of slavery are as proper topics of discussion, as any other question in legislation or morals.

It needs no argument to show that slavery is a great and growing evil; but its pernicious effects cannot be fully realized without glancing at the comparative condition of the northern and southern divisions of the country. It is but too manifest that the Southern States are losing their comparative weight in the nation. An examination of the different censuses since 1790, and of the representation in Congress, affords conclusive evidence of this fact. The free States have now a much greater majority in the House of Representatives than they had in 1790. Their gross population has since that time increased more rapidly than that of the slaveholding States; and if we compare the relative increase of the white population in the two sections of the country, the difference is still more remarkable. In commerce, manufactures, and internal improvements, the superiority of the Northern States is unquestionable. If we look to the means of education, or the general

intelligence, industry, and enterprise—but it is needless to pursue the comparison.*

We would not boast of the more fortunate condition of the Northern States. But we cannot refrain from asking, What has produced this state of things? Is it altogether climate, or is it slavery? The territory of the slaveholding States is much more extensive than that of the free States; their soil, to say the least, is quite as fertile, and their natural advantages for commerce, all things considered, are perhaps equal. As it is not easy to believe that the mere difference of a few degrees of latitude, in a temperate climate, among a people of the same parentage and under the same government, has produced these results, there seems to be no other cause to which they can be ascribed than the institution of slavery.

* The following table of representatives in Congress, which is revised from one in Niles's Register, is believed to be correct.

By the Census of	Whole No. in Congress	From the free States	From the slaves holding States	Majority in favor of the free States
1790	106	58	48	10
1800	142	78	64	14
1810	185	107	78	29
1820	213	124	89	35

The following is taken from the same paper.

Population in what are called the *free* States in 1790	2,027,248
Deduct for slaves in those States	49,254
Free inhabitants of the free States, in 1790.	1,977,994
Population of the same States in 1820, with that of the new free States	5,225,107
Population of the slave holding States in 1790	1,893,078
Deduct slaves	648,437
Free population of the slaveholding States, in 1790	1,244,641
Population of the same States, in 1820, with that of the new slaveholding States	4,367,588
Deduct slaves	1,528,452
Free population of the slaveholding States, in 1820	2,839,136
Gross excess of population in the free States in 1790 only	134,170
The same in 1820	857,519
Excess of free population in the free States in 1790	733,353
The same in 1820	2,388,000
Majority of federal numbers in the free States in 1790	375,000
The same in 1820	1,470,000

The whole article in Niles's Register, merits an attentive perusal. It contains much vauable statistical information.

Of all human inventions slavery has been the source of the greatest amount of crime and misery. The system, even under its mildest forms, has been the curse of every country in which it has been adopted, equally baneful to the oppressed and the oppressor. The human spirit cannot be tamed down like a beast of the field. The masters of slaves always lead a life of fear and suspicion. The student of ancient history will have a thousand facts crowding upon his recollection to attest the truth of these remarks. The Spartans systematically murdered the young and vigorous Helots, to prevent their numbers from becoming dangerous. A million slaves are said to have perished in one unfortunate insurrection in Sicily. Whenever a master in Rome was murdered in his own house, every one of his domestic slaves might be put to death.* If the Romans had felt themselves safe, would they have passed this cruel and barbarous edict? History has shown us the extent of their danger. The desperate insurrections of their slaves more than once reduced the republic to the brink of destruction. But it may be said, these things happened in distant times, and these spirited actors were whites. Yet the annals of the West Indies present a melancholy catalogue of insurrections by the blacks, and even in our own country, where the evil is far less pressing, we have frequent accounts of murders and robberies perpetrated by them, and we have more than once been alarmed by their plots and conspiracies.

But even a more serious evil than this, is the corrupting influence which slavery exerts upon the character of the masters. It is a melancholy truth, that wherever this institution has prevailed, it has produced a general dissoluteness of morals; it has rendered the masters indolent, proud and revengeful to their equals, and arbitrary and cruel to their inferiors. A celebrated writer indeed has not scrupled to ascribe the barbarous manners of refined antiquity to the practice of domestic slavery.†

The situation of our slaveholding States presents two important subjects of inquiry; the first, as to the possibility of removing all the blacks from the country and the mode of accom-

* We cannot realize the complete inhumanity of this law, unless we take into view the immense number of slaves possessed by individuals in Rome. Tacitus mentions that four hundred slaves of Pedanius Secundus were actually executed under this law. *Tac. Ann.* 14, 43.

† 'Nor can a more probable reason be assigned for the severe, I might say, barbarous manners of ancient times than the practice of domestic slavery.'—*Hume's Essays, Vol. I. On the Populousness of Ancient Nations.*

plishing it; the second, as to what can be done to improve their condition, supposing them to remain among us. Both problems present great, and, in the opinion of many, insuperable difficulties.

Undoubtedly if all the blacks could be removed from the country, a great object would be gained; and there is reason to believe that a large and most respectable part of the community at the south, would rejoice to be relieved of the evil in this way. But it is to be feared that the colonization of any large proportion of the blacks, though so desirable, will never be effected. If it be attempted to remove them gradually, will not the natural increase of population supply any diminution of numbers that can be anticipated? Political economists generally admit, that emigration not only does not reduce the population of the parent country, but usually does not retard the rate of increase. In the older Southern States the number of slaves has for a long time been rapidly increasing, notwithstanding the great numbers of them carried into the new States. And if ten or twenty thousand should be exported from this country annually for ten years, there would probably be as many blacks here at the end of that time as if no such exportation had taken place. If the attempt should be made to transport them in larger numbers, it would evidently be very difficult to defray the mere expenses of transportation. And even if sufficient funds for this purpose could be raised, a much larger sum would be wanted to compensate the owners of slaves, as most of the planters would hardly give up for nothing what they consider a valuable part of their property. Then, as the slaves diminished in numbers, their value would increase; since no other class of laborers would flow into the country with sufficient rapidity to supply the place of the emigrants; and any sudden diminution of numbers to an extent that would be effective towards the proposed object, would seriously reduce the wealth and resources of the Southern States. This injury it is true would be temporary. But is it probable that these States are prepared to make so great a sacrifice, as the annual exportation of a large proportion of their laboring population? Besides, if what is generally asserted be true, that the constitution of the whites will not support the labors of the field in many parts of the Southern States, the retaining of the blacks, at least in those parts of the country, is a matter of necessity.

I trust that nothing in these remarks will be considered as intimating an unfavorable opinion of the Colonization Society.

It merits and will doubtless receive the liberal support of the public. It is engaged in a noble cause, and cannot prove otherwise than a blessing to our land. Even if it did no more than direct the attention of the public to the condition of our colored population and the means of improving it, the value of the association would be inestimable. But the citizens both of the south and north, are yielding too readily to the flattering suggestion, that this Society is of itself sufficient to effect all that is possible for the improvement of the blacks; and that all other efforts for the same object are useless and unnecessary. But the removal of the free blacks, though a great benefit in itself, can operate but slowly and indirectly to improve the condition of the great mass of their brethren remaining in servitude. Even allowing this Society a greater success than its most sanguine friends anticipate, the removal of the pressure of our black population can only be looked forward to as a very distant event. This is but a remote and possible consequence of the exertions of the association, and forms no part of its direct and immediate objects, and must be effected by means over which it has no control. It is plain, therefore, that the establishment of this institution, does not in any degree absolve our fellow citizens of the south from further exertions in behalf of their oppressed and suffering population.

What then can be done to improve the condition of this population? No doubt sooner or later slavery will cease to exist in America. In spite of complexion and features, the same spirit of improvement, which in the old world has raised the condition of those held in servitude, will in this country gradually lead to the emancipation of the blacks. There is a regenerating power in our nature which no continuance of abuses and no practice of oppression can destroy; and which is ever renovating the moral and political condition of our race. The only question is, whether the improvement and enfranchisement of the negroes shall be left to the operation of time and accident, or whether the present generation shall exert itself to forward the glorious work.

To give sudden freedom to all the blacks at once, would, I admit, be a rash and dangerous experiment. To make freedom a valuable gift, they must be taught how to use it; they must receive a moral and religious education; they must be instructed in the rights and duties of freemen. All this can be attempted, with any prospect of success, only upon the young. It would not

be safe to pass any general laws giving freedom to those now grown up in servitude; nor would such a measure probably prove useful to the very parties whom it was intended to benefit. The first object then should be education. The slaveholding States, with a view to their emancipation, ought, therefore, to provide by law for the education of the negroes. What would be the best mode of doing this, I shall not here stop to inquire; but all the necessary instruction might doubtless be given at an expense very small in comparison with the object, and which would be more than repaid in the improved conduct of the negroes.

All the blacks hereafter born should be declared free after arriving at a certain age; perhaps twentyfive years. And though I believe the injury to slave owners from this measure, would be much less than is commonly supposed, still I think compensation ought to be made to them, and if possible to the full market price of every person emancipated. The property of individuals ought never to be sacrificed for the public benefit without compensation. Indeed the principle of compensation is essential to any rational scheme of enfranchisement, where slaves are so numerous as they are at the south.

The extinction of slavery being a great national object, coming within the letter of the Constitution which gives Congress the power to provide for the general welfare of the United States, the national government would be justified in cooperating with the State governments, by contributing largely to this compensation. The sales of the national lands might be appropriated for this purpose. All the internal improvements effected by the national government, all the roads and canals made or contemplated, the navies, and the fortifications, upon which it is annually expending millions, seem but trifling objects when compared with the redemption of a nation of slaves.

It is easy to anticipate the objections to the measure proposed. It will of course be called visionary and Utopian. It will be said that the evil is incurable, and the mere expense requisite to give effect to this plan intolerable. The expense would indeed be a heavy burden, but not beyond the power of the nation to bear. The compensation must necessarily be regulated by the resources of the States making it; and the contribution of the United States government, in like manner, proportioned to its means.

It will also be objected that the experiment would be haz-

ardous. Nor am I unaware that many difficulties must be overcome, before any scheme of the kind can be carried into successful operation. A long and tedious interval must at all events precede the complete liberation of the negroes. But the danger is magnified to the eyes of the slaveholders. It should be considered that those who are to be liberated are to be educated; brought up with the knowledge that at a certain time they will become free, and be as much as possible prepared for freedom. The experiment too has been tried. A system substantially the same has put an end to slavery in the Northern States, not only without inconvenience, but to the manifest advantage of all classes of society. It is true that the number of the blacks in the Southern States, bears a greater proportion to that of the whites, than it did in any of the Northern States at the time emancipation was commenced. But at present the negroes are in no State sufficiently numerous to cause any reasonable fears whether they are slaves or freemen. The great cause of alarm is, that in every slaveholding State, with scarcely an exception, the black population is constantly increasing more rapidly than the white.*

* The following table, extracted from a paper by George Harvey, originally published in the Edinburgh Philosophical Journal, and since in the Boston Journal for Nov. 1823, shows the number of free persons to every slave in each State and Territory as given by the different censuses.

States and Territories.	One slave to Free persons in 1790	Free persons in 1800	Free persons in 1810	Free persons in 1820	States and Territories.	One slave to Free persons in 1790	Free persons in 1800	Free persons in 1810	Free persons in 1820
Maine	○○	○○	○○	○○	S. C.	1.3	1.4	1.1	0.9
N. H.	897	22981	○○	○○	Geo.	1.8	1.7	1.4	1.3
Mass.	○○	○○	○○	○○	Lou.	—	—	6	1.2
R. I.	72	181	711	1851	Tenn.	—	7	5	4.3
Conn.	85	263	844	2836	Ky.	5	4.5	4	3.5
Ver.	5345	○○	○○	○○	Ala.	—	—	1.2	2
N. Y.	15	27	63	135	Miss.	—	1.5	1.4	1.3
N. J.	15	16	22	36	Illi.	—	—	72	59
Penn.	115	352	1016	4972	Misso.	—	—	—	5.8
Del.	6	9	16	15	Mich.	—	—	197	○○
Ohio	9	○○	○○	○○	Ark.	—	—	—	8
India.	—	41	102	774	D. C.	—	4	3.4	4
Md.	2.1	2.3	2.4	2.8					
Va.	1.6	1.5	1.5	1.5	Whole				
N. C.	2.9	2.6	2.3	2.1	U. S.	4.6	4.9	5.1	5.3

The character ○○, is used to signify that there are no slaves in the State opposite to the name of which it is placed. In the Southern States and Territories in 1820, the proportion of slaves to free persons was nearly as one to two, there being 1,508,747 slaves and 2,955,987 free persons.

Many other objections have been urged against all plans of the kind suggested. But the field of contention is every day growing narrower. Fortunately, the advocates for the abolition of slavery stand on very different ground from that they occupied fifty years ago. Few persons, at the present day, have the hardihood to assert the natural fitness and propriety of slavery, or to talk of the good fortune of the Africans, in being transplanted from barbarous and heathenish nations into civilized and christian communities. Almost the only arguments now used in favor of personal servitude, at least in this country, are drawn from the danger and difficulty of changing the existing state of society.

It is frequently said that the Africans differ so much from us in color and features, as to make it impossible, or undesirable if possible, that the two races should ever mingle into one, and therefore that it would be dangerous in the extreme to raise up a powerful nation in the midst of us, with which we could never be united by the ties of blood and friendship. The argument would be a strong one, if the question were on the expediency of introducing negroes into the country. But unfortunately the evil already exists to an alarming extent; a nation of strangers is now grown up in the heart of the United States. It may well be doubted whether they would be more formidable when free, than they are while slaves. When men have their persons and property protected by equal laws, they are not very apt to rebel to gain political privileges. Besides, the conduct of the blacks gives us no reason to expect that a more liberal treatment will be received by them with disdain and ingratitude. They cannot but feel, when made freemen, that a great benefit has been conferred on them. Nor would the state of the emancipated negroes be very different from that of large classes of the population in many parts of Europe and Asia. And although this may not be the most eligible condition of society, it certainly may exist without any great danger. The opposers of enfranchisement, in their zeal, are very apt to forget, that scarcely any frame of society can be worse than that now existing in the Southern States; and that the question is not, whether any proposed system be absolutely good, but whether it is not better than the present.

In fact, can any serious danger be anticipated from the negroes when freed? The whites in most of the Southern States, as has been already stated, far exceed the blacks in numbers.

In only one, are the slaves more numerous than their masters. In the intelligence and resources of the two parties, there could be no comparison. The free blacks might not, perhaps, in the beginning, make the very best citizens; but they would be less troublesome than slaves; and we do not believe the most intelligent part of the community at the South, would apprehend that their conduct would prove riotous and violent. Besides, the work of enfranchisement would be gradual, and the number of newly emancipated negroes would never, therefore, be very large. Acquiring freedom in small numbers at a time, they would easily fall into their natural places in society without tumult or disorder, and most of them undoubtedly become the hired laborers of their former masters.

It ought also to be borne in mind, that though the negroes in a state of slavery increase more rapidly than the whites, yet when freed, this disproportion would probably cease. The same moral causes which now check the multiplication of the whites, would then operate upon the blacks. The removal, too, of the free blacks from the country, might still be pursued with unabating and increasing zeal, and a better prospect of entire success. For whatever laws may be made with regard to this class of our population, every thinking mind must desire this removal should be complete.

Another argument, if it can be called so, in vindication of slavery, occasionally resorted to, though of late it has not been urged with so much confidence as it was formerly, is, that nature having created the blacks with minds and bodies inferior to the whites, and painted them with a dark color as a mark of disgrace, no doubt intended them for a state of servitude to their superiors as much as oxen and horses. But this alleged inferiority has never been established. It is impossible to say how much of the stupidity of the blacks is the effect of their situation and want of cultivation. The same opinion which is now prevalent with regard to them, was once the popular belief with regard to white slaves. It is true, however absurd it may appear to us, that slaves were generally believed by the ancients to be an inferior race of men, and naturally devoid of understanding; so hard is it to distinguish what portion of the power of the mind is native, and what acquired. But conceding that the intellectual faculties of the African race are not equal to those of the European; is it therefore just and humane, or even politic and expedient, to continue the present system of personal servitude? If slavery be in itself an evil, which

cannot be disputed, the mental inferiority of the blacks does not remedy it.

The ill success which the experiments of manumission have met with in the Southern States, is no argument against the plan suggested. It was to be expected that ignorant and degraded men, suddenly let loose from their chains, would become idle and dissolute, and a load upon society. Debased and brutified by the state in which they were brought up, they were totally unprepared for the change. They had no moral restraint to compensate for the physical one which had been removed. When but a small part of the attention devoted to the education of the whites, has been bestowed upon the blacks and proved to be utterly ineffectual in forming their characters, then, and not till then, may we begin to doubt the expediency of emancipation. It is not freedom, but ignorance and degradation which are dangerous to society. The same fears of enfranchising slaves seem always to have prevailed, and experience has always shown them to be fallacious. The ancients thought it dangerous. The Romans had laws to regulate and restrain manumission. In the middle ages, also, it was considered as detrimental to society ; and various laws were passed to prevent it. Yet slavery has disappeared from the greater part of Europe, and from the northern part of our own country, with no such evil consequences as were anticipated. However dangerous, therefore, a sudden emancipation of the whole colored population might be, and however undesirable enfranchisement in any manner might appear, while the present degraded character of the blacks continues ; yet, we may fairly conclude that a gradual liberation of the whole class might be effected, with the happiest consequences, provided the proper measures for their previous education should be sincerely adopted and sedulously pursued.

It can scarcely be doubted that it is for the interest of the Southern States to give freedom to their negroes, whenever it can be done with safety. I cannot within my limits refer to the many distinguished political economists, who hold that the labor of freemen is cheaper than that of slaves ; nor is it necessary to examine the facts in ancient and modern history on which they build their opinion. But the slightest consideration of the circumstances of the case, can scarcely fail to lead any unprejudiced mind to the same conclusion. The master has to pay for the support of the slave ; he has to provide him and his family with food, clothes, and lodging. It is true that

these are all cheap, and that a hired laborer in this country can with his wages, support himself and family more comfortably than the slave is supported. But will not the greater quantity of work done by the hired laborer, much more than pay the difference? Which will work best, the hired laborer, who knows his future employment depends on his present diligence, or the slave, who, if he does enough to avoid punishment, has no inducement to any greater exertion? It is impossible to ascertain exactly the comparative value of hired or voluntary, and forced labor; but all writers that I have examined, agree in preferring the former. Bryan Edwards, one of the ablest advocates of slavery, says that one Englishman will perform the work of three negroes; certainly not from superior strength. Other writers make similar statements. And we have it from the best authority, that slaves do as much work in one afternoon for themselves, as in a whole day for their masters. It is notorious that the work done by slaves in the West Indies and in our Southern States, is very small compared with that of hired servants in other countries.

Indeed, the conviction of the dearness of slave labor is becoming general among the planters themselves. This is perhaps the chief cause of the great desire to emancipate their slaves, exhibited by many persons in Virginia and Maryland. The following extract from a southern journal, presents a melancholy, though perhaps not an exaggerated picture of the condition of those States.

'The motives for enfranchisement are every moment gaining power. Many a planter finds the whole income of an immense estate, absorbed by the subsistence of his slaves. He is unwilling to sell them, and their rapid increase threatens to prove the ruin of his fortune. Said a gentleman of this description to the writer, "I should be a rich man, if I had not a slave in the world." '*

I have thus freely expressed my opinions as to the practicability of a gradual, but complete emancipation, and the mode of effecting it. But considering the views of the planters on this subject, the doubts which they may fairly entertain of the expediency of adopting any plan of the kind, the difficulty of arranging the details of a new system, and the still greater difficulty of carrying it into execution, it cannot reasonably be expected that the Southern States generally will at present enact any laws with this object expressly in view. It is there-

* African Repository, No. 6, p. 162.

fore more important to inquire what can and ought to be done to improve the condition of the negroes while in their present state of servitude. As it would be impossible within reasonable limits to present any detailed views, I shall content myself with a few remarks.

Though the Southern States are not to be reproached for the existence of slavery, nor for their doubts with regard to the expediency of emancipation, yet they have no excuse for the enactment of severe and cruel statutes, and the toleration of barbarous practices, manifestly not required to maintain the existing system. The most crying abuse is the traffic in slaves which they permit. Though they have consented to the abolition of the African branch of this commerce, they allow a slave trade between themselves, which is scarcely less inhuman. I shall say nothing of kidnapping free blacks, which this traffic encourages, and which the severe laws against it have not been able to prevent. It is notorious that large numbers of slaves are constantly carried from some of the older States, to supply the markets of the south and west. Now although it may be a very profitable business to raise slaves for exportation, and although it may be imagined by the exporting States that they are relieving themselves of their surplus population, yet the traffic itself is not the less disgraceful to the legislatures that permit it. The remedy of the evil is simple. Every State should pass an act to prevent the importation of any slaves, except such as belong to emigrants and come to settle with their masters. Such laws have been passed in some of the States, though not with any design of serving the blacks. But this measure does but half accomplish the purpose, and cannot be effectual unless all the States pass similar acts. This cannot be expected. But any State may completety effect the end, by passing a statute to prohibit the exportation of slaves. As Congress, however, seems to have the right to do this, it is to be hoped that with the cooperation of the southern members, some general law will be passed to remedy the evil. But if it should still be doubted, as it has formerly been, whether Congress have this right according to the Constitution, it would perhaps be unwise to act in opposition to the opinions and wishes of the bulk of the southern representation. Great Britain has set us a good example in correcting a similar abuse in the West Indies, a late statute having prohibited the transportation of slaves from one colony to another.

But without enacting laws having enfranchisement for their

direct object, much may be done to improve the state of enslaved blacks. It would be easy to point out many particulars in which the slave codes admit of great improvement. But I have only room to observe that the first principles of the system are unsound. The object of all the slave laws is to depress and degrade the character of the negro, on the plea that the safety of the masters requires the slave to be kept in ignorance. This may possibly be good policy, if the design be to perpetuate personal slavery forever and at all hazards. But if the wise and enlightened citizens of the south really wish to destroy the evil, their whole system must be changed. In whatever mode and at whatever time emancipation is attempted, the moral and intellectual culture of the blacks ought to precede and accompany it. While the Southern States, therefore, persist in legislating upon the false and pernicious principle that it is necessary to reduce a large part of their population as nearly as possible to the state of brutes, all hope of improving the negroes from the operation of the laws, is idle. All the statutes made to keep the blacks in ignorance and prevent their education, should be at once repealed, and others passed to provide for their instruction.*

The laws of some of the Southern States to restrain manumission, seem to us here to be very impolitic.† If any thing

* In illustration of the system of policy pursued at the south, I have extracted clauses from one or two statutes, which I believe are still in force. They need no commentary. A statute of Virginia provides that it shall not be lawful for any overseer binding out any black or mulatto orphan, 'to require the master or mistress to teach such orphan reading, writing, or arithmetic.'—*Stat. Jan.* 31, 1805, 2 *Virg. Laws*, 85. The following is from a statute of South Carolina. 'And whereas the having of slaves taught to write or suffering them to be employed in writing, may be attended with great inconveniences: Be it enacted, That all and every person and persons whatever, who shall hereafter teach or cause any slave or slaves to be taught to write, or shall use or employ any slave as a scribe in any manner of writing whatever, hereafter taught to write; every such person and persons shall for every such offence, forfeit the sum of one hundred pounds current money.'—*Stat.* 1740, 2 *Brev. Dig.* 243. The fine for teaching a slave to write is the same as for wilfully cutting out his tongue, or putting out his eye. A law similar to that last cited is in force in Georgia.—*Prince's Dig. Laws of Georgia*, 455.

† The following is the law of Virginia. 'If any slave hereafter emancipated shall remain within this commonwealth more than twelve months after his or her right to freedom shall have accrued, he or she shall forfeit all such right, and may be apprehended and sold by the overseers of the poor of any county or corporation, in which he or she shall be found, for the benefit of the poor of such county or corporation.'—*Stat. Vir. Jan.* 25, 1806, 2 *Virg. Laws*, 97. In North Carolina during the revolution a statute was enacted commencing as follows: 'Whereas the evil and pernicious practice of freeing slaves in this State, ought at this alarming and critical time to be guarded against by every friend and well-wisher of his country: Be it therefore enacted; That no negro

can have a tendency to make the slave restless and uneasy, it must be the knowledge that freedom from his master's gift is almost hopeless. We do not say that the legislatures of the Southern States are bound to encourage manumissions, but they might at least permit them under fewer restrictions. Slaves ought also to be legally invested with the power to purchase their own freedom. The industry and good conduct which would be required to effect this object, will fit them for the liberty they aspire to. The remarks of Mr Stephen on this subject have so much good sense and so much eloquence, that I cannot refrain from copying them.

'Such is the value of possible, but far more that of potential liberty, to the slave. What cruelty then can exceed the total privation of this hope; or even its wanton discouragement?

'But it is not more cruel than unwise. The hopes and fears of man are the pledges that he gives to society for his conduct. Without these, he cannot be stimulated to the discharge of social duties; or deterred from the most pernicious crimes. But the slave, if shut out from the chance of enfranchisement, has so little to hope or fear in this life, that no human sanctions can give him adequate motives for obedience to the government or the laws. He sees in the civil authorities, the abettors only of his master's despotism, and the rivets of his galling chain. In the same degree that he desires liberty, he must hate the government under which he lives; and can hope only in a revolution, the possible improvement of his state.

'It is true indeed that civil disaffection, and a dangerous propensity to revolt, are generally inseparable in some degree from the mischievous and odious institution of private slavery. The community that permits and maintains such a state, places under its own foundation a mine, the explosion of which is a calamity not less probable than just.

'But the danger is materially lessened by the frequency and facility of enfranchisement. Though that inestimable prize will be the lot comparatively of a few, the hope of future freedom will influence the many, and, what is of vast importance, will be the most influential with those who, being from their superior intelligence and energy the most likely to obtain it, are, from the

or mulatto slave shall hereafter be set free, except for meritorious services, to be adjudged of and allowed by the County Court, and license first had and obtained thereupon," &c.—*Laws of North Carolina, edition of* 1821, *Vol.* 1, *p.* 270, *passed in* 1777. This law was confirmed by a new act in 1796, and, by an act passed in 1818, the power given to the County Courts is exclusively vested in the Superior Courts.—*Laws of North Carolina, Vol.* 2, *pp.* 801 *and* 1446.

same causes, likely to give the lead to their comrades, in all cases, whether of obedient or mutinous conduct.

'These principles, though selfevidently true, do not rest for their authority upon theory alone. They are confirmed by experience. The most hopeless slavery has always been the most dangerous to the state.

'In England, where enfranchisement was the most copious and rapid, till liberty at length became universal, I recollect no instance on record of a servile insurrection. In the Spanish colonies, where it has been next in extent, such calamities, if they have ever occurred, have been extremely rare; and we have recently seen that all the efforts of infuriated parties have failed on the continent of South America to excite the slaves to revolt against their immediate masters; and that in Cuba, where they most abound, there has been a perfect internal calm, in spite of the hurricanes around them. In the colonies of Holland and Great Britain, on the contrary, where manumissions are the scarcest, insurrections have been peculiarly frequent.

'But the most interesting view of individual enfranchisement is the tendency which it has to terminate, in the safest and happiest way, the cruel and odious institution out of which it grows. * * *

'Though progressive meliorations by law of the condition and treatment of the servile class at large, certainly ought to be made, they are, it must be admitted, of rather difficult execution. * * *

'The best mode of gradation consequently is that which progressively reduces the comparative number of the slaves, and increases proportionably that of the free population, by means of individual manumissions; though this happy progress should certainly be accompanied, and kept pace with, by meliorations of the state itself.

'Here again history may be instructively consulted.

'The reformation of the servile code of Rome, was attended with no civil disorders; because manumissions, through the benign influence of Christianity, became so copious soon after that reformation commenced, that the slaves speedily ceased to bear a dangerous proportion in number to the free citizens and libertines of the empire.'—pp. 375—377.

A law to annex plantation slaves to the soil, so that property in them should pass only with the land, would be a most beneficial provision. Such a law would not only prevent the cruelty of separating near connexions by sales, but do much to elevate the character of the slave, by protecting him, however slightly, from the tyranny and caprice of his master. It would besides introduce a species of feudal vassalage, in the place of a more

aggravated form of servitude.* It is this system, which has operated with other causes to eradicate slavery from the greater part of Europe, and would no doubt contribute slowly to produce the same effect in America. The adoption of a similar course has been strongly urged in England with regard to the British West Indies.

The separation of families, either in private or judicial sales, is an enormous abuse, which no consideration of interest can justify, and should at once be prohibited by law in every slave-holding State.

The exclusion of the blacks from being witnesses against the whites, is one of the most harsh and unreasonable provisions in the southern slave codes. Whatever may be the object of such provisions, whether it is merely to degrade the character of the blacks, or to exclude testimony which is considered unsatisfactory; the effect is to prevent the discovery of truth and impede the course of justice. What danger could be apprehended from making the black a witness, in all cases in which he would be competent if white? A jury surely may be safely left to judge of his credibility, as in other cases in which there is reason for doubting the truth of a witness.

There are many other particulars in the southern slave codes, which are open to serious animadversion, and seem capable of much improvement; I shall merely allude to some of them in a very cursory manner. The severity of the penal laws against the blacks, and the rigor of the slave police, ought to be diminished, and more efficient laws should be made for their protection. Slaves should be regarded in law as *persons*, not as *things*, and should have the rights of persons. They should be enabled to inherit and purchase property. The free blacks, too, ought to have all the civil rights and all the political privileges which it would be safe to grant them. In my opinion, the most wise as well as the most liberal course, would be to give them all the privileges of citizens, only requiring a certain amount of property as a requisite qualification. Under this restriction, there can be no danger that they can ever acquire any political power, unless they should become as industrious and intelligent as the remaining citizens.

Two objections are generally urged against all enactments for improving the condition of the blacks, even if they do not

* Annexing slaves to the soil is permitted by statute in Kentucky, and perhaps in other parts of the country. I cannot say to what extent it has been practised.

extend to enfranchisement; one is, that they necessarily tend to promote a gradual liberation of the whole class; the other, that such laws, by enlightening the minds of the slaves, render them dissatisfied with their situation, and more disposed to engage in insurrections, and more able to conduct them with success. It must be admitted as it respects the first objection, that if manumission is unrestrained and the character and condition of the slaves improved, there can be little doubt that a general liberation of the whole colored population will finally ensue. But nothing in my opinion can be more desirable than this gradual and quiet change. It cannot however be necessary here to reply to this objection, for the arguments already adduced in favor of a general enfranchisement by law, apply with equal, if not greater force to voluntary manumissions by individuals.

The same arguments will also apply to the other objection. History shows us, what we might expect, that slaves behave best where they are best treated. Men are not generally disposed to fight to raise themselves above the lot to which they are born; it is only the extremity of oppression and actual suffering which commonly drive them to violence. The resistance increases with the pressure. Will slaves be more likely to rebel, because they have increased security for their persons and property; because a disposition is shown to improve them; because they are treated with more humanity; because an addition is made to their comforts; because the law gives them the right to earn freedom by their own exertions; because, in fine, they have new motives given them for industry and good conduct? Strong evidence is required to prove this. Besides, admitting that an increase of knowledge would give the negroes a desire to rise against their masters; the same knowledge would inform them that all efforts of rebellion would be desperation, and that a general movement of the whole colored population must result in their ruin. They could not but see that the whites in the Southern States have organized governments, with a great majority of the population and all the resources of wealth, talent, and experience on their side; and that in addition to this overwhelming superiority, they could command the regular forces of the United States, and the militia of the north. A general insurrection of an extensive country or of any large district, seems scarcely possible, unless a great majority of the inhabitants join in it. A

partial rising of an exasperated multitude may happen any where and under any form of government. But would an increase of intelligence increase the danger of these sudden tumults among the blacks? Would it not rather show them the folly of all such efforts? The following statements from Mr Stephen, who has examined this subject thoroughly and profoundly, are worthy of attention.

'It is well worthy of remark, that these events [insurrections,] have occurred since the abolition, only in two British colonies, in both of which the religious instruction of the slaves had been preeminently neglected and discouraged, and where missionary labors had either been wholly wanting, or prosecuted on a scale too minute to have had any material effect on the character of the black population; while in colonies where the slaves have been extensively the objects of such labors, interior peace and security have prevailed without interruption, during the whole of this revolutionary age.' p. 243.

'The Spanish and Portuguese slaves are as well instructed in religion as their masters; but then it is a fact equally indisputable, that they are fed, clothed, and governed, with a degree of liberality and kindness, which, in other colonies, is utterly unknown. We have incidentally seen also, that the servile code is among them proportionably lenient and just, beyond that of the British islands. Christianity, then, is at least a safe inmate in West India settlements; since those of Spain and Portugal are preeminently tranquil, and exempt from interior convulsions.' p. 267.

I feel the more confidence in the opinions which have been expressed in the preceding pages, because they coincide in all important particulars with the measures which have been suggested in England with regard to the West Indies. There seems to be little hope, however, that any improvement in the condition of the negroes, will at present be effected by any measures which depend upon the State legislatures. But much, very much, may be accomplished by individual exertion. The unreasonable contempt which mere color inspires, as it is the chief cause of the bitterness of slavery, so is it the only serious obstacle to the emancipation and improvement of this proscribed caste. Once convince the whites of the absurdity and injustice of this contempt, and the whole fabric of slavery will vanish like a shadow. Perhaps it may seem visionary to expect that the free and enlightened whites of America, will ever regard the blacks as beings of the same species with them-

selves. Yet could we practically believe what we cannot in theory deny, that these unfortunate creatures are men and not brutes, that they are endowed with minds, which, if not equal to our own, are certainly capable of improvement; this alone would do more to elevate their character and condition than any laws that could be enacted. A change in the laws, to be effectual, must be the consequence of a change in public opinion. Men of rank and influence at the South, would therefore do well to examine calmly and dispassionately, if there be not something wrong in the prevailing feeling and sentiment on the subject of slavery; if the slave codes are not imperfect and capable of improvement; if the general enfranchisement of the colored population cannot be accomplished consistently with the general welfare of society and the rights of private property; and if the necessity of the continuance of the present system may not be questionable. A thorough examination of the whole subject might perhaps lead to conclusions which they do not anticipate.

The superiority of voluntary over forced labor, is, as I have remarked above, sufficiently proved. But I cannot conclude without adverting to the subject again. If any thing were wanting to attest the fact, it might be found in the remarkable results of the plan pursued by Mr Steele. But as most readers of the Examiner must have seen the account of his experiments, it will not be necessary to detail them. He employed the slaves in his plantation in Barbadoes as free laborers, paying them in proportion to the work done by them, and abolished the severe and cruel discipline which has sometimes been considered necessary to compel the blacks to exertion. 'But,' in the words of the Edinburgh Review, 'it is an important as well as an agreeable circumstance, that he suffered no loss even of worldly gain, by the hazard he encountered for the good of mankind. He expressly describes his operation as having conduced to his profit.'* Similar plans have in other places met with equal success. The same course seems worthy of a trial in our own country. Any wealthy and publicspirited planter might, with very little inconvenience to himself, employ his slaves as free laborers, and agree to pay them according to their work. It can scarcely be doubted, that such an experiment, carefully conducted under the personal direction of the planter, would improve the character of the subjects of it, and be a source of profit to their master. The man who should try

* Edin. Rev. Oct. 1823, p. 133.

such an experiment, and publish the result, whether successful or unsuccessful, would do more for his country, by exhibiting the degree of improvement of which the negro race is susceptible, than if he should transport a thousand emigrants to Africa or Hayti. To insure the most beneficial results it is only necessary to place before the eyes of the planters a few estates cultivated solely by the voluntary labor of negroes. The example of a few individuals would be contagious. The conviction would soon become prevalent that the money paid to purchase human flesh and blood is worse than thrown away; that the real value of a slave is less than nothing; that he is a burden and not a profit to his owner. Many of the planters have shown a noble spirit in liberating and sending away their slaves. Let the same spirit direct them in making this experiment. In what more honorable or more delightful service can the most active and exalted philanthropy be employed? If any experiments have been made in this country upon this plan I am ignorant of them; but even if they have been tried and have proved unsuccessful, I cannot but believe that the ill success has arisen from some great want of judgment or from some circumstance entirely accidental. At all events the experiment deserves a thorough trial.*

I have thus adverted, in a very cursory manner, to a few of the topics connected with slavery. Many of them deserve a much more extended and thorough consideration. The evil to be remedied, though admitted to be great, is far from being desperate. If the citizens of the Southern States would keep their attention constantly and earnestly directed to the means of removing and alleviating it, rather than to the arguments in defence of it; if they would but study what has been done elsewhere in the same cause, rather than take it for granted that nothing can be done, the best consequences could not fail to ensue. Nothing would be more effectual for this purpose, than a work which should give the history of slavery, and a plain comparative statement of the law and practice with regard to it in the several Southern States. Until such a work appears, there is perhaps none, which, either for the nature or amount of the information contained in it, can be consulted with more advantage than that of Mr Stephen. Z.

* Since the above was written, I have seen some notice in the newspapers of an experiment making by Miss Wright for employing negroes as voluntary laborers; but not enough to enable me to understand the plan which is pursued.

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